

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

LASHER et al.

Serial No. 09/512,734

Filed: February 24, 2000

For: ENHANCED DRUG DISPENSING SYSTEM

AFFIDAVIT

Honorable Commissioner of
Patents and Trademarks
Washington D.C. 20231

Sir:

Refusal of an inventor to sign a declaration may be overcome by submitting an affidavit of the facts, the required fee, and the last known address of the non-signing inventor, according to 37 CFR §1.47, as amplified in MPEP 409 and MPEP 409.03(d).

I hereby submit this affidavit pursuant to 37 CFR §1.47 that one inventor of the referenced application, a Mr. Michael L. Mahar has refused to respond to various attempts, and therefore, has refused to sign a declaration of inventorship. Upon information and belief, the following facts of Mr. Mahar's conduct, pointing to a refusal, are:

Mr. Mahar signed an Assignment agreement assigning the invention described in application 08/250,435 with Medco Containment Services, Inc. ("Medco"), and he clearly and in plain language agreed to assign to Medco all of his inventions made in connection with application 08/250,435 (see enclosure).

The last known address of Mr. Mahar is:

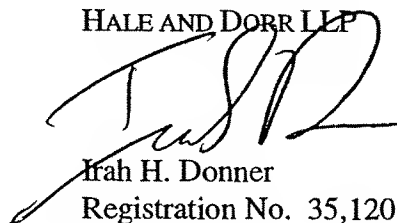
822 Anthony Drive

Mechanicsburg, PA 17055

I, Irah H. Donner, do hereby affirm that, to the best of my knowledge, the facts of the case are as stated above. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

HALE AND DORR LLP



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Date: 10/27/00

IHD/sgs: 103864-1101